

EXHIBIT B: FINDING OF NO SIGNIFICANT IMPACT



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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In Reply Refer To:

4720/4710.4 (NVL06000)

FINDING OF NO SIGNIFICANT IMPACT for Pancake Complex Wild Horse Gather

I have reviewed the Pancake Complex Wild Horse Gather & Herd Management Area Plan Final Environmental Assessment (EA) DOI-BLM-NV-L060-2024-0005-EA, dated March, 2025. After consideration of the environmental effects as described in the EA, and incorporated herein, I have determined that the proposed action with the project design specifications, including minimization or mitigation measures identified in the EA, will not significantly affect the quality of the human environment and that an Environmental Impact Statement (EIS) is not required to be prepared.

This finding and conclusion is based on my consideration of the National Environmental Policy Act (NEPA). Executive Order 14154, Unleashing American Energy (Jan. 20, 2025), and a Presidential Memorandum, Ending Illegal Discrimination and Restoring Merit-Based Opportunity (Jan. 21, 2025), require the Department to strictly adhere to the National Environmental Policy Act (NEPA), 42 U.S.C. §§ 4321 et seq. Further, such Order and Memorandum repeal Executive Orders 12898 (Feb. 11, 1994) and 14096 (Apr. 21, 2023). Because Executive Orders 12898 and 14096 have been repealed, complying with such Orders is a legal impossibility. The Bureau of Land Management verifies that it has complied with the requirements of NEPA, including the Department's regulations and procedures implementing NEPA at 43 C.F.R. Part 46 and Part 516 of the Departmental Manual, consistent with the President's January 2025 Order and Memorandum.

Context

The affected region is limited to portions of White Pine and Nye County, Nevada. The Pancake complex consists of approximately 1,228,739 acres of the Pancake, Sand Springs West Herd Management Areas (HMAs) and Jakes Wash Herd Area (HA) as well as the Monte Cristo Wild Horse Territory (WHT). The Appropriate Management Level (AML) for the Complex is 361- 638 wild horses.

The Pancake Complex Gather & Herd Management Area Plan has been developed with input from the interested public users of public lands.

Intensity

Based on my review of the EA, there is no evidence that the impacts are significant based on the following factors:

1. Impacts that may be both beneficial and adverse.

The Proposed Action (Alternative A) and Alternative D are consistent with the wild horse management objectives identified in the Ely District Record of Decision and Approved Resource Management Plan (2008) (Ely RMP), as amended, the Tonopah RMP and subsequent Record of Decision dated October 1997 and the Humboldt National Forest Land and Resource Management Plan (LRMP) and subsequent Record of Decision dated August 1986. The Alternatives are also consistent with the standards for rangeland health and would maintain a thriving natural ecological balance and multiple use relationship consistent with other resource needs as required under the Wild Free-Roaming Horse and Burros Act of 1971 (WFRHBA). Although the gather and removal of excess wild horses could have some short-term impacts on individual animals, over the long-term, it is expected to benefit wild horse health and the health of rangeland resources such as vegetative communities, riparian resources, and wildlife habitat that are being adversely impacted by the significant overpopulation of wild horses.

None of the environmental impacts, both beneficial or adverse, would have significant impact on the human environment.

2. The degree to which the proposed action affects public health and safety.

The Proposed Action and Alternative D would have minimal effects on public health and safety. The Standard Gather Operating Procedures (EA, Appendix II, III, IV, V, VII, VIII, XII, IX, X, XI, XII and XIII) would be used to conduct the gather and are designed to protect human health and safety, as well as the health and safety of the wild horses and burros.

3. Unique characteristics of the geographic area such as proximity of historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.

The area has no potential to affect to park lands, prime farmlands, wetlands wild and scenic rivers or ecologically critical areas. Direct impacts to cultural resources are not anticipated because gather locations and temporary holding facilities would be placed in previously disturbed areas or inventoried prior to construction.

4. The degree to which the effects on the quality of the human environment are likely to be highly controversial.

Effects of wild horse management and gather operations are well known and understood as outlined in the EA. No unresolved issues were raised through consultation or public comments.

5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.

Possible effects on the human environment are not highly uncertain and do not involve unique or unknown risks. The Proposed Action (Alternative A) and Alternative D would have no known effects on the human environment that are considered highly uncertain or involve unique or unknown risks. This is demonstrated through the effects analysis in the EA.

6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The action is compatible with future consideration of actions required to improve wild horse management. The Proposed Action (Alternative A) and Alternative D do not set a precedent for future actions. Future actions would be subject to evaluation through the appropriate level of NEPA documentation.

7. *Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.*

The Proposed Action (Alternative A) and Alternative D are not related to other actions with individually insignificant but cumulatively significant impacts. The cumulative impacts analysis in the EA shows that the gather and herd management area plan would not have significant synergistic effects with other past, present, or reasonably foreseeable future actions.

8. *The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the National Register of Historic Places or may cause loss or destruction of significant scientific, cultural, or historic resources.*

The Proposed Action (Alternative A) and Alternative D have no potential to adversely affect significant scientific, cultural, or historical resources.

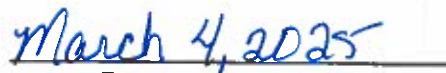
9. *The degree to which the action may adversely affect an endangered or threatened species or its habitat that has been determined to be critical under the Endangered Species Act of 1973.*

The Proposed Action (Alternative A) and Alternative D are not likely to adversely affect any listed species, and the action area does not include any habitat determined to be critical under the Endangered Species Act.

10. *Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.*

The Proposed Action (Alternative A) and Alternative D are in compliance with the Ely District Record of Decision and Approved Resource Management Plan (2008) (Ely RMP), as amended, the Tonopah RMP and subsequent Record of Decision dated October 1997 and the Humboldt National Forest Land and Resource Management Plan (LRMP) and subsequent Record of Decision dated August 1986 and is consistent with other Federal, State, local and tribal requirements for protection of the environment to the maximum extent possible.


Melanie A. Peterson
Bristlecone Field Manager


Date


Perry B. Wickham
Tonopah Field Manager


Date